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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 SHANNON O. MURPHY, SR.,

12 Plaintiff,

13 v.

14 FEDERAL BUREAU OF
15 INVESTIGATION,

16 Defendant.
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No. 2:21-cv-0141-TLN-CKD (PS)

FINDINGS AND RECOMMENDATIONS

18 Plaintiff proceeds pro se in this action, which was referred to the undersigned pursuant to
19 Local Rule 302(c)(3). See 28 U.S.C. § 636(b)(1). Plaintiff's complaint filed on January 25, 2021
20 attempts to allege civil claims against the Federal Bureau of Investigation. (ECF No. 1.)

21 In an order dated March 16, 2021, the court screened the complaint pursuant to 28 U.S.C.
22 § 1915(e) and ordered dismissal for lack of subject matter jurisdiction, failure to state a claim and
23 failure to comply with the pleading standards of the Federal Rule of Civil Procedure. Plaintiff was
24 granted thirty days to file an amended complaint. (ECF No. 3.) In the order dismissing his
25 complaint with leave to amend, plaintiff was warned that failure to file an amended complaint
26 would result in a recommendation that this action be dismissed. The time granted for plaintiff to
27 file an amended complaint has now passed and plaintiff has not filed an amended complaint or
28 sought an extension of time to do so.

1 Accordingly, IT IS RECOMMENDED:

- 2 1. This action be dismissed for lack of subject matter jurisdiction, failure to state a claim
3 and failure to prosecute. See Fed. R. Civ. P. 41(b); and
4 2. The Clerk's office be directed to close this case.

5 These findings and recommendations are submitted to the United States District Judge
6 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
7 after being served with these findings and recommendations, plaintiff may file written objections
8 with the court and serve a copy on all parties. Such a document should be captioned
9 "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that
10 failure to file objections within the specified time may waive the right to appeal the District
11 Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

12 Dated: May 11, 2021

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14 CAROLYN K. DELANEY
15 UNITED STATES MAGISTRATE JUDGE

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